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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,808	04/07/2000	Muhammed Ibrahim Sezan	KRL:7146.066	1597
47915	7590	01/27/2006		
CHERNOFF, VILHAUER, MCCLUNG & STENZEL, LLP 1600 ODS TOWER 601 SW SECOND AVENUE PORTLAND, OR 97204			EXAMINER LAMBRECHT, CHRISTOPHER M	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/544,808

Applicant(s)

SEZAN ET AL.

Examiner

Christopher M. Lambrecht

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,696,965 to Dedrick (hereinafter "Dedrick") in view of U.S. Patent No. 6,115,709 to Gilmour et al. (hereinafter "Gilmour").

Regarding claim 1, Dedrick discloses a method of using a system [10] (fig. 1) with at least one of audio, image, and a video (electronic information; col. 4, lines 35-45) comprising a plurality of frames comprising the steps of:

- (a) providing a usage preferences description (profile; col. 3, lines 18-40), describing preferences of a user with respect to the use of said at least one audio, image, and video, where said description includes multiple preferences (col. 6, lines 12-20); and
- (b) providing a protection attribute with respect to at least one of said preferences indicating whether said one of said preferences is considered public or private (col. 5, lines 50-65).

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Dedrick fails to disclose, however, that said protection attribute comprises a binary number of bits equal to the number of said preferences and where each bit of said binary number indicates whether a preference is to be public or private.

In an analogous art, Gilmour discloses a usage profile comprising a protection attribute (col. 17, lines 58-62), wherein said protection attribute comprises a binary number of bits equal to the number of said preferences (col. 18, lines 46-59) and where each bit of said binary number indicates whether a preference is to be public or private (col. 19, lines 4-14), thereby permitting the user to selectively designate what elements of said profile will be accessible to a third party (col. 18, lines 59-66).

Accordingly, it would have been obvious to one of ordinary skill in the art to modify the usage preferences description of Dedrick to include a privacy attribute comprising a binary number of bits equal to the number of said preferences and where each bit of said binary number indicates whether a preference is to be public or private, as taught by Gilmour, for the benefit of providing users with greater control over the accessibility of information contained in their profiles.

As to claim 2, Dedrick and Gilmour together disclose the method of claim 1 wherein said at least one of said audio, image, and video is video (Dedrick, col. 4, lines 35-45).

As to claim 3, Dedrick and Gilmour together disclose the method of claim 2 further comprising the step of limiting access to preferences associated with said protection attribute based upon said protection attribute (Gilmour, col. 17, lines 62-65).

As to claim 4, Dedrick and Gilmour together disclose the method of claim 3 wherein said access is limited to a remote located service provider of said video (Dedrick, col. 5, lines 51-55).

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As to claim 5, Dedrick and Gilmour together disclose the method of claim 1 wherein said protection attribute is binary (Gilmour, col. 19, lines 4-14).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Lambrecht whose telephone number is (571) 272-7297. The examiner can normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher M Lambrecht
Examiner
Art Unit 2611

CML


HAITRAN
PRIMARY EXAMINER